

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

PAMELA WHITEFIELD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-04-1106-T
	)	
THE TOWN OF MAUD, OKLAHOMA, a	)	
Municipal Corporation, SHAWN SWEENEY, )	)	
and JOHN DOES,	)	
	)	
Defendants.	)	

**ORDER**

On January 13, 2005, the Court conducted a status and scheduling conference in this case. At the conference, both Plaintiff and Defendants were represented by counsel. Following the conference, a Scheduling Order was entered. In the Scheduling Order, Plaintiff was directed to file her witness and exhibit list by June 6, 2005. (Doc. No. 15, ¶¶ 4(a), 5(a).) Plaintiff was also directed to provide Defendants with a copy of any exhibit “not previously submitted.” (Id.)

Apparently Plaintiff disregarded that court established deadline and did not file her witness and exhibit list until June 17, 2005,<sup>1</sup> – two days *after* Defendants filed their witness and exhibit list. (Doc. No. 36.) Plaintiff’s exhibit list contains five broad categories of evidence and does not identify any one item of evidence with particularity. (Id.)

On July 6, 2005, Defendants filed an objection to Plaintiff’s witness and exhibit list. (Doc. No. 38.) Defendants’ first objection was that the list was not timely filed. Defendants’ second objection is that due

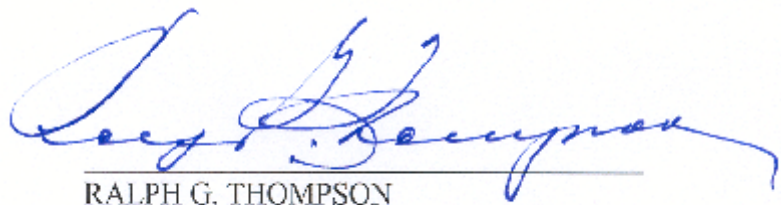
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<sup>1</sup> Although Plaintiff’s letter transmitting her witness and exhibit list is dated June 5, 2005, there is no evidence tending to demonstrate that Plaintiff sent the letter to Defendants prior to the date of filing.

to the “very general fashion” in which Plaintiff listed her exhibits, “Defendants have no way of knowing whether all purported ‘exhibits’ have been exchanged or received.” (Id.)

While not condoning Plaintiff’s untimely filing of her exhibit and witness list, the Court will not sanction Plaintiff or her counsel at this time as “Defendants concede that there is no witness nor exhibit listed by Plaintiff of which they were not aware.” (Id.) However, Plaintiff is directed to immediately comply with the Court’s Scheduling Order by identifying the specific documents intended to be listed on her witness and exhibit list and to provide Defendants with an exact copy thereof.

IT IS SO ORDERED this 7<sup>th</sup> day of July, 2005.



RALPH G. THOMPSON  
UNITED STATES DISTRICT JUDGE